

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE TENNESSEE

June 22, 2005

IN RE:

**APPLICATION OF ONESTAR COMMUNICATIONS, LLC
FOR A CERTIFICATE OF PUBLIC CONVENIENCE
AND NECESSITY TO INCLUDE FACILITIES-BASED
AUTHORITY TO PROVIDE COMPETING LOCAL
TELECOMMUNICATIONS SERVICES**

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**DOCKET NO.
02-01159**

Company ID: 128037

**ORDER REVOKING AUTHORITY GRANTED TO
ONESTAR COMMUNICATIONS, LLC FOR FAILURE TO PROVIDE
SURETY BOND OR IRREVOCABLE LETTER OF CREDIT**

This matter came before Director Deborah Taylor Tate, Director Sara Kyle and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on May 16, 2005 to consider whether to revoke the authority of OneStar Communications, LLC¹ ("OneStar") to conduct business in the State of Tennessee as a public utility for failure to comply with Tenn Code Ann. § 65-4-125 (j) (2004)²

OneStar originally filed its Application for a certificate to provide operator services and/or resell telecommunications services within the State of Tennessee on October 15, 2002. During a Hearing held on March 6, 2003, the Hearing Officer found that OneStar had met all the requirements for certification

¹ A name change to OneStar Long Distance, Inc was effected by Order dated October 13, 2003 (Authority Docket No 03-00447)

² Tenn Code Ann § 65-4-125(j) (2004) provides

By September 1, 2000, all telecommunications service providers subject to the control and jurisdiction of the authority, except those owners or operators of public telephone service who pay annual inspection and supervision fees pursuant to § 65-4-301(b), or any telecommunications service provider that owns and operates equipment facilities in Tennessee with a value of more than five million dollars (\$5,000,000), shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000) to secure the payment of any monetary sanction imposed in any enforcement proceeding, brought under this title or the Consumer Telemarketing Protection Act of 1990, compiled in title 47, chapter 18, part 15, by or on behalf of the authority

and the requirements of Tenn. Comp. R. & Regs. 1220-4-2-.57, which was promulgated pursuant to, *inter alia*, Tenn. Code Ann. § 65-2-102 and Tenn. Code Ann. § 65-4-201, and approved the Application as filed

OneStar's Letter of Credit was cancelled effective February 7, 2005. Authority Staff's investigation revealed that OneStar was subject to a Chapter 11 bankruptcy action filed in December 2003 in the United States Bankruptcy Court for the Southern District of Indiana, Evansville Division. OneStar's bankruptcy was converted to Chapter 7 bankruptcy effective January 13, 2005. OneStar is no longer in business and no longer has customers in the State of Tennessee. Authority Staff was unable to establish contact with OneStar in advance of the May 16, 2005 Authority Conference. Accordingly, the panel voted unanimously to revoke the authority of OneStar to conduct business in the State of Tennessee.

IT IS THEREFORE ORDERED THAT:

The authority of OneStar Communications, LLC granted in Docket No. 02-01159 to conduct business in the State of Tennessee as a public utility is revoked, and this docket is closed.


Deborah Taylor Tate, Director


Sara Kyle, Director


Ron Jones, Director